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09/966,218	09/28/2001	Ian Widger	288278004US1	5878

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EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT PAPER NUMBER

2143

DATE MAILED: 03/10/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/966,218

Applicant(s)

WIDGER ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4 and 5.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. This Action is in regards to the latest response received on 31 December 2002.

#### *Information Disclosure Statement*

2. The references listed in the Information Disclosure Statement submitted on 25 July 2002 and 31 December 2002, have been considered by the examiner (see attached PTO-1449).

#### *Specification*

3. The disclosure is objected to because of the following informalities: The specification references provisional application 60/235,989, titled "Telephone Call Handling System and Method". The current state of these applications, reflecting the status of present pendency, (i.e., abandonment or patent maturity), including associated patent numbers, should be amended into the specification.

Appropriate correction is required.

#### *Claim Objections*

4. It is noted that although the present application does contain line numbers in the specification and the claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For each of reference by both the Examiner and Applicant, all future correspondence should include the recommended line numbering format.

#### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-8, 10-17, 19-22, 25-28, 30-34 and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Meubus et al. (Meubus), WO 98/07266 in view of Tatchell et al.

(Tatchell), U.S. Patent No. 5,999,611.

7. Regarding **claim 1**, Meubus discloses the invention substantially as claimed. Meubus discloses *a method for managing communications from a user interface, the method comprising: receiving user input to configure a telephony service provider system (TSPS), wherein configuration includes associating a handling method with each one of multiple call handling codes [see Meubus, abstract, page 3, lines 27-38, page 9, lines 26-36], wherein the handling method directs the TSPS in handling a call, receiving user input to a contact management system associating at least some of multiple contacts [see Meubus, page 8, lines 15-20]; and receiving user input when a call is received that directs the TSPS how to handle a call, wherein the TSPS interfaces with the contact management system [see Meubus, pages 7-8].* However, Meubus does not explicitly disclose stored in a contact management system database with one of the handling codes, contradicting a handling code previously associated with a contact and using data from the contact management system to handle calls.

8. In the same field of endeavor, Tatchell discloses (e.g., a subscriber interface for accessing and operating personal communication services). Tatchell discloses *a contact management system database, contradicting a handling code previously associated with a contact and using data from the contact management system to handle calls* (Tatchell teaches giving the subscriber the ability to modify (contradict) the profile to intercept all calls to his office. Tatchell further

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teaches a subscriber database to contains operational parameters for the subscriber), [see Tatchell, Col. 8, lines 17-67 and Col. 9, lines 2-67].

9. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Tatchell's teachings of a subscriber interface for accessing and operating personal communication services with the teachings of Meubus, for the purpose of By this rationale **claim 1** is rejected.

10. Regarding **claim 2**, Meubus-Tatchell discloses *wherein handling calls comprises routing calls to a previously specified location, including, a phone number, an interactive voice response system (IVR), and a user computer, including displaying a notification window that displays at least one item selected from a group comprising a caller number, a caller name, and at least one forwarding button the user selects to forward the call to a number* [see Tatchell, Col. 2, lines 58-67, Col. 3, lines 1-10]. The same motivation that was used to combine the above references applies equally as well to claim 2. By this rationale **claim 2** is rejected.

11. Regarding **claim 3**, Meubus-Tatchell discloses *further comprising providing a notification window having an open contact button to request display of information associated with the caller from the contact management system* [see Meubus, Figure 2]. By this rationale **claim 3** is rejected.

12. Regarding **claim 4**, Meubus-Tatchell discloses further comprising displaying a notification window, including a display of information associated with the caller from the contact management system [see Meubus, Figure 2]. By this rationale **claim 4** is rejected.

13. Regarding **claim 5**, Meubus-Tatchell discloses *wherein the information includes email messages sent to the caller; and email messages received from the caller; calendar events that*

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*include the caller; and documents that reference the caller* [see Meubus, page 4, lines 1-5]. By this rationale **claim 5** is rejected.

14. Regarding **claim 6**, Meubus-Tatchell discloses *wherein the email messages, calendar events, and documents meet specific criteria as configured by the user* [see rejection of claim 5, supra]. By this rationale **claim 6** is rejected.

15. Regarding **claim 7**, Meubus-Tatchell discloses *wherein the specific criteria include a time and a date* [see Tatchell, Col. 5, lines 7-10]. The same motivation that was used to combine the above references applies equally as well to claim 7. By this rationale **claim 7** is rejected.

16. Regarding **claim 8**, Meubus-Tatchell discloses *further comprising displaying a call history to a user that includes information regarding previous and current calls from a caller* [see Tatchell, Col. 5, lines 7-10]. The same motivation that was used to combine the above references applies equally as well to claim 8. By this rationale **claim 8** is rejected.

17. Regarding **claim 10**, Meubus-Tatchell discloses *wherein configuration further comprises designating an attendant device to which calls are forwarded under certain circumstances, and designating the attendant device to monitor incoming calls to the TSPS on behalf of the user* [see Meubus, page 10, lines 1-37]. By this rationale **claim 10** is rejected.

18. Regarding **claim 11**, Meubus-Tatchell discloses *the TSPS receiving a call from a telephone system; the TSPS determining a user identification (ID) from a call number; the TSPS using a calling line identification (CLI) number and the user identification to find a handling code associated with the CLI number; the TSPS using the user ID to find a current status of the user; the TSPS using the user ID and the CLI number to access data from the contact management system database; the TSPS using the user ID and the CLI number to access a user*

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*profiles database to determine a handling method for the call; and the TSPS using the handling method, the current status of the user, the data, and the handling code to handle the call*

(Tatchell teaches calling line identifiers), [see Tatchell, Col. 3, lines 20-67 and Col. 4, lines 1-45]. The same motivation that was used to combine the above references applies equally as well to claim 11. By this rationale **claim 11** is rejected.

19. **Claims 13-17** list all the same elements of **claims 1-8**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1-8** applies equally as well to **claims 13-17**.

20. **Claims 19-22** are substantially the same as that of claims 1-4 above and thus are rejected for the same rationale in rejecting claims 1-4.

21. **Claims 25-28** list all the same elements of **claims 1-3 and 8**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claims 1-3 and 8** applies equally as well to **claims 25-28**.

22. **Claims 30-34** list all the same elements of **claim 10**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claim 10** applies equally as well to **claims 30-34**.

23. **Claim 36** list all the same elements of **claim 1**, but in system form rather than method form. Therefore, the supporting rationale of the rejection to **claim 1** applies equally as well to **claim 36**.

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***Claim Rejections - 35 USC § 103***

24. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

25. **Claims 9, 18, 23, 24 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Meubus-Tatchell as applied to claims 1, 13, 25, 26 above, and further in view of Kung et al. (Kung), U.S. Patent No. 6,678,265.

26. Regarding **claim 9**, Meubus-Tatchell discloses the inventions substantially as claimed. Meubus-Tatchell discloses *further comprising, in response to receiving a call* [see rejection of claim 1, supra]. However, Tatchell does not explicitly disclose initiating a web chat session between at least two devices.

27. In the same field of endeavor, Kung discloses (e.g., communication between users in diverse communication system). Kung discloses initiating a web chat session between at least two devices [see Kung, Col. 6, line 40, Col. 8, lines 49-67, Col. 11, lines 10-37].

28. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Kung's teachings of a communication between users in diverse communication system with the teachings of Meubus-Tatchell, for the purpose of enhancing services for use in conjunction with a packetized network such as Internet protocol based system infrastructure [see Kung, col. 1, lines 45-48]. By this rationale **claim 9** is rejected.



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29. Regarding **claim 18**, Meubus-Tatchell and Kung further discloses *wherein the interface component communicates with the contact management system via open application programming interfaces of the contact management system* [see Kung, Col. 9, lines 9-46 and Col. 13, lines 20-25]. The same motivation for combination in claim 9 applies equally as well to claim 18. By this rationale **claim 18** is rejected.

30. **Claims 23 and 24** are substantially the same as that of claim 18 and thus are rejected for the same rationale in rejecting claim.

**Claim 29** list all the same elements of **claim 9**, but in computer readable medium form rather than method form. Therefore, the supporting rationale of the rejection to **claim 9** applies equally as well to **claims 29**.

### ***Claim Rejections - 35 USC § 102***

31. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

32. **Claim 35** is rejected under 35 U.S.C. 102(a) as being anticipated by Kung et al. (Kung), U.S. Patent No. 6,678,265.

33. Regarding **claim 35**, Kung discloses a call handling system, comprising, a standard contact management application, wherein the standard contact management application includes a database of contact information, wherein the contact information includes names of contacts and telephone numbers associated with the contacts, and wherein the standard contact management application further includes a set of published application program interfaces

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(APIs) for accessing functionality in the standard contact management application; a call management application, wherein the call management application is configured to receive information regarding an incoming call, including an originating phone number, employ at least some of the set of APIs in the standard contact management application to provide at least a name from the contact information in the database based on the originating phone number-, and provide at least two different call handling options to the user for handling the incoming call [see Kung, Col. 9, lines 9-46 and Col. 13, lines 20-25 Col. 6, line 40, Col. 8, lines 49-67, Col. 11, lines 10-37].

*Examiner Comments*

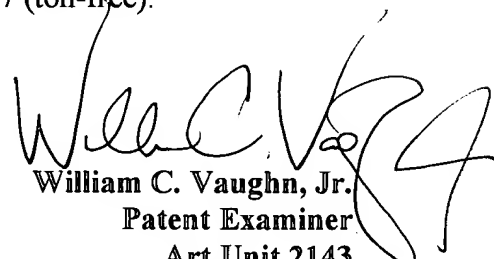
34. It is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art. As it is Applicant's right to continue to claim as broadly as possible their invention. It is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique. As it is extremely well known in the networking art as already shown by Meubus, Tatchell and Kung as well as other prior arts of records disclosed, utilize an interface by a user to configure telephone call handling within an web and telecommunication environment as well as other claimed features of Applicant's invention. Thus, it is clear that Applicant must submit amendments to the claims in order to distinguish over the prior art use in the rejection that discloses different features of Applicant's claim invention.

*Conclusion*

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
William C. Vaughn, Jr.  
Patent Examiner  
Art Unit 2143  
04 March 2004